

FORM NLRB-5168  
(2-08)

1 City of New York

2 Case Nos. 2-CA-39988  
3 2-CA-40056

4 County of New York

5 **Confidential Witness Affidavit**

6 I, Robin Mauro, being first duly sworn upon my oath, hereby state  
7 as follows:

8 I have been given assurances by an agent of the National Labor  
9 Relations Board that this Confidential Witness Affidavit will be  
10 considered a confidential law enforcement record by the Board and  
11 will not be disclosed unless it becomes necessary to produce the  
12 Confidential Witness Affidavit in connection with a formal  
13 proceeding.<sup>1</sup>

14 My business address is 101 West End Avenue, New York, New York  
15 10023.

16 My telephone number is 646.721.8640.

17 I am employed by Preschool of America ("the Employer") as the  
18 Site Director for the Employer's facility located at 101 West End  
19 Avenue, New York 10023.

20 1. I began working for the Employer at its facility at  
21 101 West End Ave. ("WE") on about June 7, 2010, but I spent a few  
22 days the previous week at the Employer's headquarters on 42<sup>nd</sup> St.  
23 I was offered the position of Site Director on about May 31, 2010  
24 by Managing Director Jill Howard ("Howard"), who works at the  
25 Employer's 42<sup>nd</sup> St. office. During the hiring process, I met with  
26 Howard and Employer Chief Executive Director and owner Joanna Fan

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**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further an unfair labor practice or representation case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

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1 ("Fan"). Those interviews took place in about mid-May 2010. Ms.  
2 Fan and Ms. Howard told me that they were interested in hiring me  
3 to serve as Site Director for WE.

4 2. I had served as a Director for a preschool at another  
5 employer for about seven years prior to applying to work for the  
6 Employer. The position of Director is fairly standard across  
7 employers and involves staffing, parent relations, curriculum  
8 development, student enrollment, day-to-day operations of the  
9 facility, and marketing. I have been in the education field for  
10 approximately fifteen years.

11 3. During the interview process, Ms. Fan and Ms. Howard  
12 told me that WE had some problems, including a bad director, low  
13 enrollment, staff-related issues, and parent complaints. Ms.  
14 Howard told me that the Employer would want me to first focus on  
15 the staff at WE but neither told me that I should retain the  
16 current staff or replace staff.

17 4. At WE, I occupy the highest position, superior to the  
18 office assistant Kathy Huang ("Huang") as well as the teachers  
19 and assistant teachers, comprising about a dozen individuals in  
20 each classification, as well as five to ten (5-10) "floaters."  
21 Huang does bookkeeping, accounting, scheduling, and payroll. Her  
22 primary function is to process tuition payments from parents. I  
23 am present at WE every weekday, for nine to ten hours. Although I  
24 set the basic work schedules for the teachers and assistant  
25 teachers, Huang often communicates with those staff about leave  
26 or attendance issues, such as if an employee is going to arrive  
27 late or needs to leave early. In such a case, an employee may

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1 speak to Ms. Huang directly and notify her of the leave. (There  
2 is a form that employees are supposed to fill out and which is  
3 supposed to be approved by me before any schedule changes are  
4 made, but the employees are not yet using that procedure  
5 consistently.)

6 5. I am the primary decision-maker at WE with respect to  
7 personnel decisions. I have the authority to hire, fire, and  
8 discipline employees.

9 6. The Employer uses printed disciplinary notice forms.  
10 As indicated by the second row of those forms, which has check-  
11 boxes for first, second, and final warning, the Employer has a  
12 policy of progressive discipline, though some infractions, e.g.,  
13 violence, may merit more severe discipline immediately.

14 7. Nearly all of the teachers and assistant teachers at  
15 WE work under contracts which state that they are "valid  
16 beginning September [n] and terminates on August [n + 1]." Those  
17 contracts state, in part, "Employees will not be allowed to  
18 terminate their contract[s] at any time during the 12-month  
19 contract period."

20 8. When I began working for the Employer at the WE  
21 facility, I began reviewing the personnel files for the teachers  
22 and assistant teachers there. For each faculty member, there is  
23 a personnel file which is supposed to contain that person's  
24 education credentials, copies of licenses and continuing  
25 education certificates required by the New York City Department  
26 of Health ("DOH"), a resume, letters of recommendation, leave  
27 requests, annual evaluations (though none of the files I reviewed

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1 contained any such evaluations), a fingerprint check, contracts  
2 between the Employer and the individual, and disciplinary  
3 notices. I managed to review all of the personnel files and  
4 time/attendance records for the WE staff during the first week or  
5 so of my employment with the Employer. It was my main focus at  
6 that time.

7 9. During the first week I spent at WE, I met with each  
8 of the teachers and assistant teachers and observed each  
9 individual in his or her classroom. By the end of Friday, June  
10 11, 2010, I had decided which staff to retain and which to let  
11 go. However, because of the employees' existing contracts and  
12 because of coverage-related issues, including the problem of  
13 finding qualified replacements, I did not implement those  
14 decisions immediately. It is standard business practice for a  
15 school to reorganize over the summer, in preparation for  
16 September, and I intended to follow that practice. It is also  
17 standard business practice for a new Director to review and  
18 potentially replace staff.

19 10. As noted above, WE had 12 head teachers and an equal  
20 number of assistant teachers. However, there were only ten  
21 classrooms in use at the time I began working at WE and only  
22 eleven available for use. (The enrollment was only sufficient to  
23 warrant ten classes in June, but I knew that there would be  
24 increased enrollment for the fall and that I would be able to  
25 fill the other classrooms.) Despite having only ten classrooms  
26 in use, I felt that there needed to continue to be at least a  
27 dozen head teachers and an equal number of assistant teachers

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1 over the summer because of vacation schedules and the like. With  
2 respect to floaters, I determined that the five full-time  
3 positions that were at the facility should be converted to ten  
4 part-time positions to allow greater flexibility in covering  
5 absences and emergencies, as well as to allow implementation of  
6 ten-hour classes.

7 11. The Employer had scheduled to open a new center at 73<sup>rd</sup>  
8 Street and Broadway ("Ansonia") over the 2010 summer. The goal  
9 was to open Ansonia in August, but the date for that opening kept  
10 getting delayed. Because of the planned August opening date for  
11 that center, the Director for Ansonia had hired a number of  
12 staff, but because that facility was not operating as planned,  
13 those staff were idle.

14 12. Almost every day, Directors at the Employer's various  
15 centers send one another e-mail messages looking for available  
16 floaters to fill in for absent staff. At Ansonia, however, the  
17 Director there sent out e-mail messages asking if other Directors  
18 needed employees to cover shifts, since she had staff who were  
19 not working. At WE, I had two dozen staff, many of whom were  
20 scheduled to take vacations over the course of the eight weeks of  
21 summer, meaning that, on average, WE would be without three of  
22 its full-time staff each week.

23 13. During the summer of 2010, the Employer had plans to  
24 expand the WE facility to open more classrooms. However, the  
25 additional classrooms were far from being ready to open when I  
26 began as Director at WE, and I made no plans to hire staff to  
27 teach in those rooms.

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1           14. Attached hereto as Exhibit A is a copy of a list of  
2 staff who worked at WE at any time during the months of June  
3 through August 2010. The first 25 individuals listed were all  
4 the head teachers, assistant teachers, and floaters who were  
5 working at WE when I began working there. The 31<sup>st</sup> through 50<sup>th</sup>  
6 names listed are individuals who were hired to work at WE after I  
7 began working at WE. The entry "HT" or "TA" in the Position  
8 column indicates whether the person was a head teacher or  
9 teaching assistant, and the "Room #" column indicates the  
10 classroom to which the person was normally assigned. Similarly,  
11 "Floater" indicates that the staff member worked in a floater  
12 position. Floaters are employed to replace other employees who  
13 are absent for one reason or other and also to assist if a class  
14 is too large for the regularly assigned staff to handle. As a  
15 result, floaters do not have regularly assigned classrooms.

16           15. In contrast, a head teacher or assistant teacher is  
17 normally assigned to the same group of children, the same  
18 classroom, and the same other faculty member, i.e. head or  
19 assistant teacher.

20           16. I determined not to renew the employment contract of  
21 Anesia Lloyd ("Lloyd") in about early June 2010. For one thing,  
22 Lloyd had attendance problems, including 23 absences and 7  
23 partial days. I made that calculation by having Huang print out  
24 records from Time Clock, the attendance software the Employer  
25 uses at WE. That software tracks the punch-in and punch-out  
26 times of employees, who are each identified by a Personal  
27 Identification Number ("PIN"). That is, each employee has to

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1 enter his or her PIN when s/he arrives and when s/he leaves the  
2 WE facility. Time Clock records and maintains a history of those  
3 entries. For some employees, those histories are maintained for  
4 a number of years, but I asked Huang to print out only the record  
5 for the preceding year. I do not know whether the 23 days listed  
6 includes vacation days. I do know that in the case of Lloyd, she  
7 was permitted 12 sick/personal days per year. (Employees' sick  
8 and personal day allowances are set by the Employer's employee  
9 handbook.) I decided to not renew the contract of any employee  
10 who I believed to be unreliable or who had excessive absences---  
11 in excess of those to which the employee was entitled---during  
12 the year, because one of the primary problems facing WE was  
13 excessive absence. I did not compare the absences of employees  
14 against one another or against some average. I also noted that  
15 Lloyd had been working for the Employer five years and yet the  
16 copy of her identification in her personnel file, a New York  
17 State Learners Permit, issued May 5, 2009, said she was only  
18 twenty-one years old, indicating that she had begun working for  
19 the Employer at age sixteen, which is not permitted under DOH  
20 regulations. Based on that document, I suspected that Lloyd must  
21 have previously submitted fraudulent documents to obtain her  
22 position. Further, Lloyd had apparently been working for the  
23 Employer for a number of years without having obtained a high  
24 school diploma or GED, because the GED certificate in her file  
25 indicated that diploma had been earned in March 2010. Lloyd had  
26 also been working as a head teacher for children under two years  
27 age, despite her not having the credentials required by DOH. (A

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1 copy of the relevant portion of Article 47 of the DOH rules is  
2 attached hereto as Exhibit B.) Further, while I was observing  
3 her teach, Lloyd told me that she did not read to the infants  
4 because "Babies don't listen." I felt that expressed a lack of  
5 education concerning early childhood development.

6 17. Because Lloyd did not have the credentials to work as  
7 a head teacher and although I had already determined not to renew  
8 Lloyd's contract, I spoke to Howard about what I should do  
9 concerning Lloyd's status as a head teacher. I do not recall  
10 precisely when I spoke to Howard about this, but it must also  
11 have been in early June 2010, because I remember that I spoke to  
12 Howard soon after I discovered Lloyd's lack of credentials. In  
13 order to be in compliance with DOH regulations, Howard recommended  
14 I give Lloyd a letter which stated we had discovered her lack of  
15 credentials and giving her an opportunity to gain those  
16 credentials. However, that issue did not take precedence over  
17 other matters I had to attend to, so it was not until on July 1,  
18 2010 that I wrote a letter to Lloyd telling her that she had ten  
19 days in which to enroll in a CDA class, if she wanted to continue  
20 working as a head teacher. That same day, I removed Lloyd from  
21 the head teacher position. I gave Lloyd the letter and upon  
22 reading it, Lloyd told me that she was not going to enroll in the  
23 CDA class. (Sometime during that same week, Lloyd also declined  
24 to enroll in free classes at Touro College.) Lloyd, like most  
25 of the other employees at WE, had a contract that ran just under  
26 a year, as I interpreted it, from September 1, 2009 to August 1,  
27 2010. Although I made the decision not to renew Lloyd's contract

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1 in early June 2010, I did not communicate that to her until on  
2 about August 5, 2010, because of the coverage concerns described  
3 above.

4 18. Lloyd had one disciplinary notice in her personnel  
5 file, dated May 6, 2010, stating she had been late and was  
6 receiving a first warning.

7 19. I do not recall telling Lloyd anything about Joanna  
8 Fan when I gave Lloyd her non-renewal letter, on August 6, 2010,  
9 except that I may have told her I thought she had potential and  
10 should further her education.

11 20. I decided not to renew the employment contract of  
12 Tamika Singleton ("Singleton"), a teaching assistant, because she  
13 had 29 full days of absence and 28 partial days of absence. I  
14 believe Singleton had been working for the Employer at WE for 4  
15 to 5 years. As a result, Singleton was eligible for 12  
16 sick/personal days per years, as well as 10 paid vacation days.  
17 I also noted a number of disciplinary notices in her file, many  
18 of which involved communications problems between Singleton and  
19 other faculty members. Copies of the disciplinary notices which  
20 formed part of my decision not to renew her contract are attached  
21 hereto as Exhibits C-E. While I observed Singleton's performance  
22 in the classroom, I felt that she lacked knowledge regarding  
23 child development. I also noted that Singleton questioned my  
24 authority to make decisions, claiming on one occasion that I was  
25 not permitted to change Lloyd to an assistant teacher. On  
26 another occasion, Singleton told me that she had already cleared  
27 a planned absence with Managing Director Mego Gojka, intimating

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1 that it was not my right to determine her work schedule. Again,  
2 I decided to not renew Singleton's contract in about early June,  
3 but did not finalize that decision until after the date her  
4 contract with the Employer ended. I was aware that Singleton  
5 suffered from asthma, since that her "Staff Control Form" listed  
6 it and noted she could need a Ventolin pump.

7 21. I gave Singleton her non-renewal letter on or about  
8 August 6, 2010. The date on her non-renewal letter does not  
9 match her last day of work because I had to stagger the  
10 termination of employees somewhat in order to maintain classroom  
11 and student coverage and to meet parent expectations.

12 22. According to the records Huang produced for me,  
13 Catherine Duran ("Duran") had 14 full absences and 22 partial  
14 absences, though there were no disciplinary notices in Duran's  
15 personnel file. I also felt that Duran was unable to communicate  
16 well in English. In reviewing her personnel file, I also  
17 discovered that Duran's diploma was not from an accredited  
18 institution but instead from an online service that cannot grant  
19 GEDs or diplomas. Attached hereto as Exhibits F and G are copies  
20 of the diploma from Duran's personnel file and a printout of a  
21 World-Wide Web page I found for the school which issued the  
22 diploma. Although I had decided not to renew Duran's employment  
23 back in June 2010, I did not tell her that her employment was  
24 terminated until August 16, 2010. I told Duran that she was not  
25 going to be renewed because of her time and attendance. I did  
26 not say anything to her about fraudulent documents at that point.

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1           23. Hope Dublin ("Dublin") had 31 full days absent and 15  
2 partial absences in the preceding year, based on the records  
3 Huang had printed out for me, though there were no disciplinary  
4 notices regarding time and attendance in her personnel file.  
5 Also in early June, when I met Dublin, she told me that there  
6 were certain teachers she could not work with. (The classroom  
7 that Dublin and Wendy Puello had worked in was no longer being  
8 used at the end of May, 2010, due to graduating students, among  
9 other things, so the few remaining students in that class were  
10 consolidated into classroom four with head teacher Allison  
11 Glass.) Although Dublin's non-renewal letter is dated August 4,  
12 2010, she was given that letter the next day. I did not tell  
13 Dublin that the Employer was not renewing any contracts nor that  
14 I felt I had come into a "war zone" with the Union.

15           24. In early June 2010 I decided not to renew Joan  
16 DeLeon's ("DeLeon") contract based on her record of chronic  
17 lateness during the period of September 1, 2009 to June 1, 2010,  
18 during which time period DeLeon was late ten minutes or more over  
19 100 times, though there were no disciplinary notices in DeLeon's  
20 personnel file. Huang had also printed out the absence record  
21 for DeLeon, which indicated she had been absent 17 full days and  
22 three partial days, though she was only entitled to 6 sick and  
23 personal days. Huang told me that DeLeon was frequently late,  
24 so I had Huang show me the raw punch-in and punch-out data for  
25 DeLeon for the preceding nine months. Based on the number of  
26 latenesses and the days DeLeon had been absent, I decided not to  
27 renew her contract. DeLeon's termination letter is also dated

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1 August 4, 2010 and must have been written that date, but I did  
2 not deliver it to her until the following day.

3 25. In reviewing the personnel file and attendance records  
4 for Amanda Nunes ("Nunes") in early June 2010, I discovered that  
5 she had been absent 17 full days and 3 partial days, but was  
6 entitled to only 6 sick and personal days. Around the time I  
7 began at WE, Huang had "red-flagged" Nunes for me as an employee  
8 with excessive an incidence of lateness in early June 2010, Huang  
9 and I looked at her time records. There was nothing else in her  
10 personnel file upon which I based my decision not to retain her,  
11 but during the first week, when I observed her, I noticed that  
12 she told children "No" repeatedly. I informed Nunes her contract  
13 was not being renewed on about September 1, 2010. At that point,  
14 Nunes had one warning in her file, dated August 11, 2010,  
15 reminding her to arrive five minutes before the scheduled start  
16 time.

17 26. The Time Clock records Huang produced for me showed  
18 that Wendy Puello ("Puello") had 20 absences and 4 partial days  
19 in the preceding year, though she was entitled to only 12 days  
20 per year. Although I had decided not to renew Puello's contract  
21 in early June 2010, I did not inform her of that until August 24,  
22 2010. I issued one warning to Puello on July 21, 2010, regarding  
23 time and attendance, for being absent July 12, 15, and 21, 2010,  
24 though she may have been present on the 21<sup>st</sup> and absent on the  
25 20<sup>th</sup>. Puello and I both signed that notice on the date indicated  
26 and a copy of the notice is attached hereto as Exhibit H. Puello  
27 was present for and testified at a hearing at Region 2 of the

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1 National Labor Relations Board ("NLRB"), which I witnessed, since  
2 I was present for that hearing. Puello was certified to serve as  
3 an elementary school teacher (for grades one through six), but  
4 was not certified in early childhood education and she told Gojka  
5 she was not happy with her assignment to work with younger  
6 children and preferred to work with four-year olds. Further, I  
7 had other employees who had Master's degrees in early childhood  
8 education, such as Mel Collins, Sara May, Allison Glass, Jennifer  
9 Duran, while Puello did not.

10 27. I do not recall what the Time Clock records Huang  
11 produced for me showed regarding Sarah May's ("May") absences and  
12 partial days in the preceding year. I had determined in early  
13 June to retain May, but she resigned on August 14, 2010,  
14 effective August 30, 2010.

15 28. The Time Clock records Huang produced for me showed  
16 that Tatiana Navia ("Navia") had 16 absences and 17 partial days  
17 in the preceding year, though she was entitled to only 12 days  
18 per year. Navia's personnel file contained no disciplinary  
19 notices, but I was concerned by the absences and the fact that  
20 her high school diploma had been granted in 2009, though she had  
21 been working for the Employer since 2008. This worried me  
22 because DOH regulations require assistant teachers to have at  
23 least a high school diploma. I was also concerned by what I  
24 judged to be, based on my observation of her performance in her  
25 classroom, her limited communications skills. I gave Navia her  
26 non-renewal letter on August 9, 2010. I told Navia only that her

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1 contract was not being renewed based on a record of excessive  
2 absences.

3 29. The Time Clock records Huang produced for me showed  
4 that Samantha Gordian-Gerena ("Gordian-Gerena") had 24 absences  
5 and 10 partial days in the preceding year, though she was not  
6 entitled to any sick or personal days because she had been part-  
7 time and had not been working for the Employer more than six  
8 months. I decided terminate Gordian-Gerena's employment in early  
9 June 2010, when I reviewed her personnel file, reviewed her  
10 attendance records, and observed her in class; her subsequent  
11 actions simply confirmed my decision. I issued her a termination  
12 letter on July 13, 2010, a copy of which is attached hereto as  
13 Exhibit I. Gordian-Gerena had accumulated a number of  
14 disciplinary notices, copies of which are attached hereto as  
15 Exhibits J--O, and I had a record of some additional problems  
16 which I had recorded, a copy of which is attached hereto as  
17 Exhibit P.

18 30. The Time Clock records Huang produced for me showed  
19 that Tatyana Gibbs ("Gibbs") had 23 absences and 7 partial days  
20 in the preceding year, and she was entitled to no sick or  
21 personal days, because she had been part-time since she began  
22 working for the Employer on about July 1, 2009. I also noted  
23 that there was no high school diploma in her record, I had  
24 received a complaint from a parent regarding Gibbs' use of a cell  
25 phone, and I had issued her a warning regarding cell phone usage  
26 on July 7, 2010, a copy of which is attached hereto as Exhibit Q.  
27 I gave Gibbs a non-renewal letter on August 9, 2010.

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1           31. The Time Clock records Huang produced for me showed  
2 that Rena Goldstein ("Goldstein") did not have an excessive  
3 number of absences or partial days in the preceding year. Her  
4 personnel file included a pair of complaints, copies of which are  
5 attached hereto as Exhibits R and S. I also found, upon  
6 observing her at work during the first two weeks I was at WE,  
7 that her classroom and the hallway space around her classroom  
8 were disorganized and cluttered. When I reviewed Goldstein's  
9 file in early June, it contained a number of disciplinary notices  
10 and notes from the previous Director, copies of which are  
11 attached hereto as Exhibits T--V. I made a series of notes about  
12 Goldstein, copies of which are attached hereto as Exhibits W and  
13 X. My written evaluation of Goldstein is attached hereto as  
14 Exhibit Y. I gave Goldstein a non-renewal letter on August 13,  
15 2010.

16           32. Pichardo resigned effective June 30, 2010. A copy of  
17 her resignation letter is attached hereto as Exhibit Z. I did  
18 not pay much attention to her personnel file when I reviewed  
19 those in early June 2010 because she was part-time. Further, I  
20 did not spend much time observing her performance because she  
21 submitted her resignation in mid-June, at least two weeks before  
22 her last day. Further, Pichardo had been a sporadic employee  
23 since 2008, working for a few months and then returning to school  
24 for a bit.

25           33. None of the other assistant or head teachers had  
26 absences in excess of what those individuals were permitted.

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1                   34. The following individuals began work for the Employer  
2 on the dates opposite their names:

3	(a) Thomas McCay (temporary)	July 1, 2010
4	(b) Nadia Leonard	July 1, 2010
5	(c) Diana Belliard	July 1, 2010
6	(d) Aurora Cruz	August 15, 2010
7	(e) Natalia Tavarez	July 19, 2010
8	(f) Junith Rodriguez	July 15, 2010
9	(g) Wendy Maldonado, nee Candelario	August 2, 2010
10	(h) Cheryl Woodley	August 9, 2010
11	(i) Sadna Rulshi	August 12, 2010
12	(j) Jacqueline Rosenthal	August 12, 2010
13	(k) Judith Bateman	August 9, 2010
14	(l) Kim Gibbs	August 23, 2010
15	(m) Bhojmattie Naul, nee Bholanath	August 25, 2010
16	(n) Amelia Padilla	August 31, 2010
17	(o) Jessica Dwyer	August 31, 2010
18	(p) Katie Hannon	September 1, 2010
19	(q) Ivana Frisa	August 31, 2010
20	(r) Marselina Garcia a/k/a Perez	August 31, 2010

21 Lauren Carroll was hired to work at the Ansonia Center.

22                   35. As it states in the employee handbook, employees are  
23 limited to a maximum of one paid sick/personal day per month. If  
24 an employee takes more than one sick or personal day per month or  
25 more than his/her annual allotment, those days are unpaid. After  
26 a probationary period, employees are permitted 5 paid days annual

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1 leave per year. That increases to ten paid days per year in the  
2 second year of employment.

3 36. Head and assistant teachers are scheduled to arrive at  
4 different times and are on staggered schedules. Classes are  
5 scheduled to begin at 8:00 a.m. and to end at 6:00 p.m.  
6 Employees are supposed to arrive five minutes before the  
7 scheduled arrival time.

8 37. I first learned that District Council 1707 ("the  
9 Union") claimed to represent the WE assistant teachers on about  
10 June 21, 2010, after Fan and Huang had met with certain teachers  
11 and assistant teachers. I may have spoken to Jennifer Devure  
12 ("Devure") after Fan left that day to ask Devure what had been  
13 going on, but I do not recall her answer.

14 38. I do not recall speaking to DeLeon or Jennie Vazquez  
15 ("Vazquez") about the Union or unions generally on about June 24,  
16 2010.

17 39. On about July 2, 2010, I distributed the document  
18 attached hereto as Exhibit AA to all the WE teachers. I did not  
19 write that document; it was prepared by attorney Martin Gringer,  
20 Esq. I gave it to both the assistant and head teachers by  
21 placing copies in their mailboxes.

22 40. Also on that day, I distributed a memo to teachers and  
23 assistant teachers memorializing the fact that I had distributed  
24 a document on "Roles and Responsibilities for Head Teachers and  
25 Teaching Assistants" earlier that week. A copy of that memo is  
26 attached hereto as Exhibit BB. I distributed similar memos to

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1 the WE staff on June 25, and July 2, 2010, copies of which are  
2 attached hereto as Exhibits CC and DD.

3       41. I arranged to meet with each teacher and assistant  
4 teacher individually after I distributed that July 2, 2010  
5 document. I generally met with the employees in classrooms; that  
6 process took several days. During those meetings, I reviewed  
7 with the employees what benefits and opportunities the Employer  
8 offered its workers.

9       42. Sometime during this period, I met with Joan DeLeon to  
10 ask whether she would be interested in becoming a head teacher,  
11 because I had noticed, while reviewing her personnel file, that  
12 she had the necessary qualifications to hold that job. She told  
13 me that she did not want the responsibility or to have to  
14 communicate with parents. I was not then offering her a  
15 position, but simply wanted to gauge her interest.

16       43. I received a call at home from Huang the evening of  
17 July 14, 2010 saying that Puello was not going to be in the next  
18 day. Huang did not tell me that Puello's absence had anything to  
19 do with Puello being subpoenaed for a hearing the next day. I in  
20 turn called Puello and asked why she had not put in a request for  
21 a personal day. Eventually, Puello told me that she had received  
22 a subpoena. I told her that the reason for her absence did not  
23 really matter, but that when she knew in advance she was going to  
24 be absent, she should let me know, so I could arrange for  
25 coverage of her position.

26       44. I was present for the hearing held at Region 2 of the  
27 NLRB on July 15, 2010. I heard the testimony given by Puello,

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(2-08)

1 Gordian-Gerena, and Vazquez on that date. During the hearing,  
2 I did not interrupt Gordian-Gerena's testimony, though I may have  
3 made a comment to counsel.

4 45. I met with Puello after the July 15<sup>th</sup> hearing, though I  
5 do not recall if it was the next day. I did not speak to her  
6 about her testimony at the hearing, though I did review with her  
7 the differences between assistant and head teachers.

8 46. I may have spoken to Dublin on about July 26, 2010,  
9 but I do not have any recollection of speaking to her on that  
10 day.

11 47. On July 27, 2010, I, together with Managing Directors  
12 Gojka and Howard, held a mandatory meeting for the WE assistant  
13 teachers in the gym, starting sometime around 1:00 p.m. Prior to  
14 the meeting, I had put a pair of documents, copies of which are  
15 attached hereto as Exhibits EE and FF, in the teachers'  
16 mailboxes. During the meeting, I reviewed those documents with  
17 the assistant teachers, reading parts of them out loud. Howard  
18 spoke on the topic of vacation, but I do not recall any other  
19 specific points Howard or Gojka addressed. During the meeting,  
20 Duran accused me of threatening her with termination if she  
21 joined the Union. I referred her to the document entitled "A Lot  
22 to Lose" and explained the steps which could lead to termination  
23 in the event of a strike.

24 48. On August 2, 2010, the NLRB election for the WE  
25 assistant teachers was held. The Union won that election. Later  
26 that day, Fan told me that Dublin had been using a cell phone in  
27 the building, so I issued a written warning to Dublin for having

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(2-08)

1 used a cell phone, a copy of which is attached hereto as Exhibit  
2 GG. Dublin told me that she knew she would be getting a warning  
3 because she had seen Fan see her using a cell phone.

4 49. The day after the election, I distributed a memo, a  
5 copy of which is attached hereto as Exhibit HH, to all the  
6 teachers and assistant teachers, notifying them that I would be  
7 conducting annual evaluations, which are standard business  
8 practice.

9 50. On about August 16, 2010, I received a call from Duran  
10 and Union organizer Julian DeJesus. That conversation, which was  
11 on speakerphone, occurred after I notified Duran that her  
12 contract was not being renewed. DeJesus apparently entered my  
13 office and called me to accuse me of something, but I declined to  
14 speak to him.

15 51. I was not present for a rally held on about the  
16 afternoon of August 19, 2010 at the WE facility. I was out that  
17 week, but Huang sent me a number of photos of the event by e-  
18 mail.

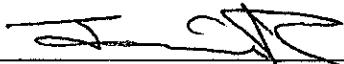
19 I am being provided a copy of this Confidential Witness Affidavit  
20 for my review. If, after reviewing this affidavit again I  
21 remember anything else that is relevant, or desire to make any  
22 changes, I will immediately notify the Board agent. I understand  
23 that this affidavit is a confidential law enforcement record and  
24 should not be shown to any person other than my attorney or other  
25 person representing me in this proceeding.

26 I have read this statement consisting of 20 pages, including this  
27 page. I fully understand its contents, and I certify that it is  
28 true and correct to the best of my knowledge and belief.

30  
31  
32  
33  
34 Sworn to before me at  
35 26 Federal Plaza, Room 3614  
36 New York, New York this

  
\_\_\_\_\_  
Robin Mauro

FORM NLRB-5168  
(2-08)

1 27<sup>th</sup> day of September 2010  
2   
3  
4 Jamie Rucker, Board Agent,  
5 National Labor Relations Board  
6  
7

	Last Name	First Name	Position	Room #	Date
1	Lloyd	Anesia (left)	HT	1	6/1-6/30
2	Singleton	Tamika (left)	TA	1	
3	Collins	Carmel	HT	2	
4	Brandon	Taylor	TA	2	
5	Vazquez	Jennie	HT	3	
6	Deleon	Joan (left)	TA	3	
7	Glass	Allison	HT	4	
8	Puello	Wendy (left)	HT	4	
9	Dublin	Hope (left)	TA	4	
10	May	Sarah (left)	HT	5	
11	Katsnelson	Anna	TA	5	
12	Devore	Jennifer	HT	7	
13	Munroe	Antoinette	TA	7	
14	Estrada	Maria	HT	8	
15	Duran	Catherine (left)	TA	8	
16	Reyes	Kallyope	HT	9	
17	Navia	Tatiana (left)	TA	9	
18	Goldstein	Rena (left)	HT	10	
19	Nunes	Amanda (left)	TA	10	
20	Almanzar	Marisol	HT	12	
21	Torres	Estervina	TA	12	
22	Gordian-Gerena	Samantha (left)	Floater		
23	Gibbs	Tatyana (left)	Floater		
24	Fandino	Cindy	Floater		
25	Pichardo	Zullay (left)	Floater		
26	Slater	Sean (left)	Sub		
27	Smalc	Victoria	Dance		
28	Zhao	Yue Ying	Cook		
29	Mauro	Robin	Director		
30	Huang	Kathy	Bookkeeper		
31	McCay	Thomas (new)	Floater		7/1-7/15
32	Leonard	Nadia (new)	Floater		
33	Belliard	Diana (new)		4	7/16-7/31
34	Cruz	Aurora (new)	HT	1	
35	Tavarez	Natalia (new)	TA	2	
36	Rodriguez	Junith (new)	Floater		
37	Candelario	Wendy (new)	TA	1	8/1-8/15
38	Woodley	Cheryl (new)	Floater		
39	Tulshi	Sadna (new)	TA	3	8/16-8/31
40	Rosenthal	Jacqueline (new)	TA	10	
41	Bateman	Judith (new)	HT	11	
42	Gibbs	Kim (new)	Floater		
43	Genao	Anabel (new)	TA	9	
44	Bholanath	Bhojmattie (new)	TA	11	9/1-9/15
45	Carroll	Lauren (new)	HT	5	
46	Padilla	Amelia (new)	HT	10	
47	Dwyer	Jessica (new)	TA	11	
48	Hanon	Katie (new)	TA	8	
49	Frisa	Ivana (new)	TA	7	
50	Garcia	Marselina (new)	Floater		



(E) notification of authorities and the children's parents.

(9) Parent/child orientation: orientation curriculum outline; tour of premises; reporting and management of illnesses, injuries and other incidents; evacuation plan; lost child plan; lightning plan; fire safety and fire drills; evacuation procedures; activity specific training for assigned activities; trips (if provided).

§47.13 Teaching staff qualifications in child care services for children ages two to six.

(a) Accreditation. In determining teacher and educational director qualifications, the Department may accept documentation from schools, colleges and universities approved by the State Education Department or other teacher accreditation organizations acceptable to the Department certifying that such persons have met the specific Code requirements.

(b) Pending certifications. A permittee may temporarily employ an educational director or individual group teachers pending certification by the State Education Department or other accreditation organization or while a teacher's study plan for obtaining certification is pending approval by the Department, provided that the permittee has complied with criminal justice and State Registry of Child Abuse and Maltreatment screening requirements for staff set forth in this Article.

(c) Educational director. Every child care service shall designate a qualified teacher as the educational director who shall be in charge of staff training, educational and child development programs and shall supervise all teaching staff at each permitted child care service.

(1) Coverage for educational director. When an educational director is not present to supervise a child care service, the permittee shall designate a group teacher to act as educational director.

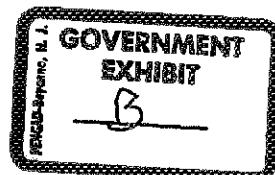
(2) Teaching duties. The educational director shall have no teaching duties when more than 40 children are enrolled in the child care service. If the child care service holding a permit is part of an elementary school offering classes from grades one through six, and has either child care programs for children under three years of age or has voluntarily applied for a permit pursuant to this Article, and such school also has a principal with no teaching duties, the educational director shall not have any teaching duties when more than 60 children are enrolled in the child care service.

(3) Qualifications. The education director shall have:

(A) A baccalaureate degree in early childhood education or related field of study and State Education Department teacher certification in early childhood education or equivalent certification pursuant to paragraph (2) of subdivision (d) of this section, and

(B) At least two years of experience as a group teacher in a program for children under six years of age.

(d) Group teacher. No person shall be placed in charge of a group of children in a child care service unless s/he is certified or qualified pursuant to paragraph (1), (2), (3) or (4) of this subdivision.



*✓ Teacher (2-6)*

(1) Baccalaureate degree and State certification. A baccalaureate degree in early childhood education or related field of study and current valid certification issued by the State Education Department pursuant to 8 NYCRR 880 or successor rule or equivalent certification from another jurisdiction, as a teacher in the field of early childhood education; or

(2) Equivalent certification. Certification from a public or private certifying or teacher accrediting organization or agency granted reciprocity by the New York State Department of Education; or

(3) Baccalaureate degree. A baccalaureate degree in early childhood education or related field and five years of supervised experience in a pre-school program if currently employed in a permitted child care service; or

(4) Study plan eligibility. The person has proposed a plan for meeting the requirements of paragraph (1), (2) or (3) of this subdivision within seven years, and has obtained approval of this plan by an accredited college. A person who is study plan eligible shall submit documentation to the Department indicating proof of enrollment in such college and specifying the time required for completion of training.

(A) The course of study may include the following study areas:

- (i) Sociological, Historical, Philosophical Foundations of Education or
- (ii) Sociology of Education or History of Education or Philosophy of Education
- (iii) Child Development or Child Psychology
- (iv) Educational Developmental Psychology or Psychological Foundations of Education
- (v) Instructional Materials and Methods Courses – three (3) courses required, including one on the pre-kindergarten or kindergarten level including, but not limited to, such courses as:
  - (aa) Teaching of Reading, Teaching of Math, Teaching Science to Young Children
  - (bb) Teaching of Music, Teaching of Art, Methods of Teaching of Language Arts
  - (cc) Teaching of Computer Technology to Young Children
- (vi) Parent Education and Community Relations or Urban Education or Sociology of the Family or Parent, Child, School.

(B) To be study plan eligible, a person shall have:

- (i) Associate's (AA or AS) degree in early children education, practicum included; or
- (ii) Ninety or more undergraduate college credits and one year classroom experience teaching children in pre-kindergarten, kindergarten or grades 1-2; or
- (iii) Baccalaureate in any other academic subject and one year classroom experience teaching children up to third grade.
- (e) Group teacher for children with special needs. A group teacher for children with special needs shall be certified in special education, or early childhood education, with additional appropriate training in working with special needs children, in accordance with applicable law.

(f) *Assistant teacher*. An assistant teacher shall be at least 18 years of age and have a high school diploma or equivalent (GED).

§47.15. Teaching staff qualifications for infant-toddler child care services. A child care service authorized to provide care for children under 24 months of age may employ staff with either the qualifications listed in §47.13 of this Code for each title or the following alternative qualifications.

(a) *Educational director*. Every infant-toddler child care service shall have an educational director who shall be in charge of staff training, educational and child development programs and shall supervise all teaching staff at each permitted infant-toddler child care service.

(1) Qualifications:

(A) Baccalaureate degree in early childhood education or related field of study, and  
(B) At least one year of experience as a group teacher or child care provider in a child care service for children under 24 months of age, or six college credits in infant-toddler coursework, or a study plan leading to six college credits in infant-toddler coursework

(b) *Infant/Toddler teacher*. A teacher for an infant-toddler program shall be at least 21 years of age and have the following qualifications:

- (1) Associate's (AA or AS) degree in early childhood education; or
- (2) Child Development Associate (CDA) certification and a study plan leading to an associate's degree in early childhood education within 7 years; or
- (3) High school diploma or equivalent (GED); nine college credits in early childhood education or child development; two years experience caring for children, and a study plan leading to an associate's degree in early childhood education within seven years; or
- (4) High school diploma or equivalent (GED) and five years of supervised experience in an infant-toddler classroom if currently employed in a permitted child care service; or
- (5) High school diploma or equivalent (GED); and a study plan that is acceptable to the Department leading to nine credits in early childhood education or childhood development within two years; and a study plan leading to an associate's degree in early childhood education within seven years, if currently employed in a permitted child care service.

§47.17. Teaching staff qualifications for night child care services

(a) Permittees offering night care services shall comply with all requirements of this Article except when such requirements are inconsistent with the provisions of this section, in which case the provisions of this section shall control.

(b) *Educational director*. The educational director shall be qualified in accordance with §47.13 of this Code; or hold a baccalaureate degree, including 12 college credits in early childhood education, and have

Tamika was working as the Assistant Teacher in the Yellow Duckies class with Sara May. Tamika was absent at least once a week and also requested to go home early often. Sara was constantly left short staffed in her room.

Tamika would often talk to the children in a degrading manner. One time when I was in the room observing, I witnessed Tamika speaking to a child in a demoralizing manner. Sara has told me that several occasions Tamika was picking on certain children in the class. She would loose patients and tell the children they can't do that. Her manner of speak is inappropriate for a teacher. She would get upset with the children if they could not through out their food, push in their chair, clean up properly. She would get very upset during busy times of the day. I met with Tamika about this and gave her information and dealing with difficult situations. At this point I told her to use a lower tone when speaking and not to get angry when speaking to the Head Teacher or myself.

I had two meetings with Tamika during the time she worked with Sara. On one occasion we met about her sleeping during naptime. I witnessed and have on video Tamika was lying down on the bean bag with a blanket sleeping during naptime. I spoke to her about this several times.

On another occasion a new child in the room was crying and Tamika called the office yelling "I don't know what to do with this child, he is screaming and waking up the whole classroom." When I met with her she complained that Sara never did any work in the class. That Sara expected her to do all the cleaning. I spoke to Sara about this and at that point during a meeting Tamika got very upset. She was yelling in the office saying Sara pushes her around all day. Sara never told her that she expects her to do a lot. That Sara is constantly talking down to her. At that point I spoke to Tamika about raising her voice in the office.

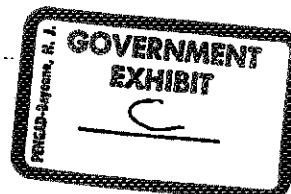
Then Tamika said that she just could not stand Sara anymore after she complained about her. That she has worked here for 5 years and the parents really like her. That she knows Joanna and that she will call Mego if something is not done.

I made arrangements to have Tamika transferred to the Bumble Bees room to work with Asia, who she says she knows and can work with.

Tamika came to office before Winter Break saying she feels it's really unfair the new teacher can do this. Saying that Sara gets away with everything and trying to make the Assistant Teachers do all the work. Then she says, Sara told her to watch out Catherine is going to fire you she is documenting these incidents. She came to office asking to see her file and saying that it wasn't fair. She went around to all the teachers and starting saying Catherine was going to get rid of all the old teachers working at the school.

Sara May, MS, Head Teacher

Catherine Robertson Madaio, MS Education Director



Tamika Singelton

Friday Feb 5<sup>th</sup> Tamika called the office saying she told Kathy Huang this morning she feels sick and has to go home. I told her I was surprised because she didn't say anything when I was taking attendance. I asked if she was really sick we had a lot of teachers out. I told her that we had a lot of teachers out that I would try to get a substitute and if she could wait a little while that would be helpful.

5 minutes later Tamika comes into the office and says let me have my file. I need to get my lawyer number. You can't fire me if I am sick. I explained that I wasn't trying to fire her I just needed to get a substitute. Then she says we are trying to fire her and she is sick there is nothing she can do about that. I explained to her that that was fine but she can't yell at me like that. She was yelling at me. She was going on and on saying she was sick and we aren't letting her go home.

She yelled at both my and Kathy Huang going over the same thing. Trying to put Kathy Huang in the middle - saying "she is saying I can't go home, I told you I need to get Motein." We both asked her leave the office that she yelling and needed to calm down. I said she go home, I told her I needed space and I asked her to leave the office she refused. Then I told her I am not talking to right now. That the conversation was done I am angry and sometimes people need space. The conversation is over and I am not speaking to her until she calms down. She continued to rant and I ignored her. I told her I was not having this conversation and it was done. She stayed there for a few a while trying to argue with Kathy. Kathy told her she yells at me a lot. Then she says she needs to get her Dr.'s number to call her Dr. from her file. She then started saying she was going to call Mego that the teachers call Mego and I would get me in trouble.

On Monday Feb 8<sup>th</sup> I asked Tamika to come to office. I told her I would give her another chance but she can not yell at me like that. She said I yelled at her and it's not the first time she said she has been talking to the other teachers about me. She said she called Mego and Mego told her that I was not being professional. She says she can call Mego whenever she wants. That Mego gave them her number before she left so the teachers could call her if there was any problem with me. She said that the teachers have called her about me before. She says the teachers have been there a long time and that they are watching me. Then she says she know Joann and Joann know her and others that have been there a long time and that she will her.

*Kathy Huang, Adminstrative Director*  
Kathy Huang, Adminstrative Director

*Catherine Robertson Maduto, MS, Education Director*  
Catherine Robertson Maduto, MS, Education Director



Employee: Tamika Singleton  
Date: 12/8/00

Reason for Documentation:

- Tamika was sleeping on the floor in the classroom during naptime.

- Tamika yelled at Gina May the Head Teacher in front of the students requiring five time to put the children down on their cots.

Supervisor: Catherine Martin

12/8/00

Employee: Tamika Singleton

12/8/00



REMY HIGH SCHOOL

This Certifies That

**Katherine Michelle Turner**

has satisfactorily completed the Tests of the General Education Program  
as prescribed for Graduation in accordance with the requirements of the Faculty  
and is therefore awarded this

**Diploma**

with all the Rights, Privileges and Honors thereunto appertaining

Given on this 24th day in the Month of February 2008

Philip Magan  
*Administrator*

Taylor Carter  
*Student*



<http://www.ehsonlinehighschool.org/index.html>

**Are the diplomas offered by EHSO recognized and accepted worldwide?**

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EHSO prides itself in its thorough ongoing evaluation of communications with students. The processes for program review and monitoring within its programs is proprietary in nature and designed to meet the needs of its students as they strive to reach their individual goals.

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**8. What can I use my diploma for?**

Your Graduation Package can be used to advance in life and gain proof of your accomplishments. Each institution, whether it be educational or work, is unique in the types of accomplishments they accept as credit toward their programs. It is advisable to check first with any potential employer or educational institution to see if they accept non-traditional, motivational, accelerated online programs such as ours.

*Government Careers: We do not offer GEDs. We recommend completion of our program along with a GED. Our program is a non-traditional, motivational based, accelerated format program that may not be accepted by government organizations. However, an Enterprise Graduation Package can be on its way in just hours or days while it may take much longer for you to complete your GED.*



**Employee Warning Notice****Employee Information**Employee Name: Wendy Puello Date: July 21 2010 First Warning  Second Warning  Final Warning

<input type="checkbox"/> Tardiness/Leaving Early	<input checked="" type="checkbox"/> Absenteeism	<input type="checkbox"/> Violation of Company Policies
<input type="checkbox"/> Substandard Work	<input type="checkbox"/> Violation of Safety Rules	<input type="checkbox"/> Rudeness to Coworkers
<input type="checkbox"/> Insubordination	<input type="checkbox"/> Rudeness to Parent/Family	<input type="checkbox"/> Improper treatment of a child
<input type="checkbox"/> Other: _____		

**Details**

Description of Infraction:

Absent July 15<sup>th</sup> and then  
 again on July 21.

Plan for Improvement:

1 day each week  
 2 days in July  
 (Vacation - July 2-6)

Consequences of Further Infractions:

**Acknowledgement of Receipt of Warning**

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your director have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature

Date

Wendy PuelloJuly 21 2010

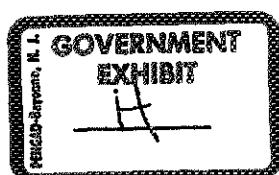
Director's Signature

Date

Patricia MauraJuly 21 2010

Witness Signature (if employee understands warning but refuses to sign)

Date



July 13, 2010

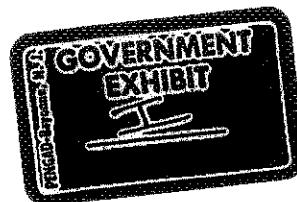
To Samantha Gordian-Gerena

Based on your excessive absences we are terminating your employment with Preschool of America. It is essential that our staff is reliable and that we have adequate supervision for our children at all times. I have met with you several times to discuss this matter. You will receive your final pay check July 15<sup>th</sup>.

Sincerely,



Robin Mauro  
Director  
Preschool of America  
101 West End Ave  
New York, NY 10021



Preschool of America  
Monthly Class Enrollment List and Teacher Wage Balance Sheet

12  
Schoenthal did not show up  
no call. Only the left  
is missing, tried to call  
no one answered. Log in  
Schoenthal  
the right is the result  
she is in there



# PENNSYLVANIA, ~~of AMERICA~~

## Employee Warning Notice

Employee Name: [REDACTED]

Employee Identification: [REDACTED]

 First Warning

 Second Warning

 Final Warning

- Frequent tardiness or absence
- Absenteeism
- Violation of safety codes
- Disregard of work instructions

- Frequent tardiness or absence
- Absenteeism
- Violation of safety codes
- Disregard of work instructions

- Violation of company policies
- Disregard of work instructions
- Disregard of company policies

Description of Incident: [REDACTED]

Employee Signature: [REDACTED]

Employee Signature: [REDACTED]

Employee Signature: [REDACTED]

By signing this form, you are giving your acknowledgement of the information in this warning. You also agree that you will not discriminate against any employee who has signed this form, either in accordance with the law or in any other way.

Employee Signature: [REDACTED]

Employee Signature: [REDACTED]

Employee Signature (if employee is unable to read and is refusing to sign): [REDACTED]

Date: [REDACTED]



# THE PRESCHOOL of AMERICA

## Employee Warning Notice

EMPLOYEE INFORMATION		
Employee Name	Samantha (Samantha) (Worth)	
Date:		15/10/10
TYPE OF VIOLATION		
<input type="checkbox"/> First Warning	<input checked="" type="checkbox"/> Second Warning	<input type="checkbox"/> Final Warning
LIST OF VIOLATIONS		
<input checked="" type="checkbox"/> Tardiness/leaving Early	<input type="checkbox"/> Absenteeism	<input type="checkbox"/> Violation of Company Policies
<input type="checkbox"/> Substance at Work	<input type="checkbox"/> Violation of Safety Rules	<input type="checkbox"/> Rudeness to Coworkers
<input type="checkbox"/> Insubordination	<input type="checkbox"/> Rudeness to Parent/Family	<input type="checkbox"/> Improper treatment of a child
<input type="checkbox"/> Other		

### Description of Infraction:

35 minutes late

### Plan for Improvement:

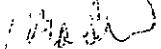
Plan to make sure to be on time to work

### Consequences of Further Infractions:

Termination

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your supervisor have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature



Director's Signature

Date

15/10/10

Date

Date

Witness Signature (if employee understands warning but refuses to sign)

Date



Preschool of America  
Monthly Class Enrollment List and Teacher Wage Balance Sheet

MS

Samantha did not show up  
no call. So, she left  
2 messages, tried to call  
no one answered. Word at  
no answer

We called her the next  
she was sleeping



# PRESCHOOL OF AMERICA

## Employee Warning Notice

### Employee Information

Employee Name: SamanthaDate: 7/6/13

### Type of Warning

First Warning  Second Warning  Final Warning

### Type of Offense

<input type="checkbox"/> Tardiness/Leaving Early	<input type="checkbox"/> Absenteeism	<input type="checkbox"/> Violation of Company Policies
<input type="checkbox"/> Substandard Work	<input type="checkbox"/> Violation of Safety Rules	<input type="checkbox"/> Rudeness to Coworkers
<input type="checkbox"/> Insubordination	<input type="checkbox"/> Rudeness to Parent/Family	<input type="checkbox"/> Improper treatment of a child
<input checked="" type="checkbox"/> Other: <u>disrespectful / not helping w/ breakfast clean up</u>		

### Details

Description of Infraction

Was called in sick 3 times this week.  
told her I need a reliable staff.  
Reversed her schedule - she didn't /  
D.R. Springfield - was not prepared.

Plan for Improvement

No more absences

Consequences of Further Infractions:

I need to fill in sick days  
up for week.

### Acknowledgement of Receipt of Warning

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your director have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature

Date

R. Allen

7/6/13

Director's Signature

Date

Witness Signature (if employee understands warning but refuses to sign)

Date





## Employee Warning Notice

## Employee Information

Employee Name: Samantha

Date: 7/6/10

## Type of Warning

 First Warning  Second Warning  Final Warning

## Type of Offense

<input type="checkbox"/> Tardiness/Leaving Early	<input type="checkbox"/> Absenteeism	<input type="checkbox"/> Violation of Company Policies
<input type="checkbox"/> Substandard Work	<input type="checkbox"/> Violation of Safety Rules	<input type="checkbox"/> Rudeness to Coworkers
<input checked="" type="checkbox"/> Insubordination	<input type="checkbox"/> Rudeness to Parent/Family	<input type="checkbox"/> Improper treatment of a child

 Other: Moving children from one class to another without notification.

## Details

Description of Infraction: I went to classroom where she was (43.) assigned (rm 9) she wasn't there. Found her in rm 10, took 4 children & Confered with other staff. Unauthorized. No one asked her to. Unsafe! Didn't tell parents.

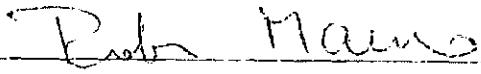
Plan for Improvement: didn't know where children were within & approached her to discuss she was very defensive. I had a conversation with the

Consequences of Further Infractions: Meeting about her "disregard".

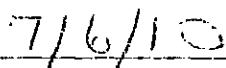
## Acknowledgement of Receipt of Warning

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your director have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature



Date



Director's Signature

Date

Witness Signature (if employee understands warning but refuses to sign)

Date



Samantha

6/25 - Disappeared from assigned  
classroom for 25 minutes

6/25 - Surveyed office in infant room  
(looking around with knife)

6/26 - Informed child "you have not permission  
to touch the safety procedures in  
connection with my treatment to  
myself. Please observe".  
Child was O.K. then went the  
room to see where he belonged

Harley had a sand  
in head - ~~had~~ <sup>had</sup> ~~had~~ <sup>had</sup> ~~had~~ <sup>had</sup> ~~had~~ <sup>had</sup>  
child to move the couch to an  
empty wall & someone made  
a point to say that the  
parent should see

7/1 ~~7/2~~ - child to her about  
hurries after many  
absences, disappearing, ~~hurries~~



on to our deceased  
7/6 took 4 children  
from her room to  
another no one held  
her to. I asked her  
why & she answered  
indeed -

**Employee Warning Notice****Employee Information**Employee Name: TatianaDate: 7/6/10**Type of Warning**

First Warning  Second Warning  Final Warning

**Type of Offense**

<input type="checkbox"/> Tardiness/Leaving Early	<input type="checkbox"/> Absenteeism	<input type="checkbox"/> Violation of Company Policies
<input type="checkbox"/> Substandard Work	<input type="checkbox"/> Violation of Safety Rules	<input type="checkbox"/> Rudeness to Coworkers
<input type="checkbox"/> Insubordination	<input type="checkbox"/> Rudeness to Parent/Family	<input type="checkbox"/> Improper treatment of a child
<input checked="" type="checkbox"/> Other: <u>Cell phone</u>		

**Details**

Description of Infraction:

For using cell phone in classroom.  
Had phone tucked under ear, typing while  
show

Plan for Improvement:

Told her no cell phone in class-  
or it will not be able to  
learn in class.

Consequences of Further Infractions:

**Acknowledgement for Receipt of Warning**

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your director have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature: TatianaDate: 7/7/10Director's Signature: Robert MallonDate: 7/7/10

Witness Signature (if employee understands warning but refuses to sign)

Date



3/21/10

Talked to Rina about  
disciplining children

Send out f m n -> did n-  
wild nre



3/17/10  
→ Madison Miller Mom complained

No accident report filed at

for Madison Miller →

Madison (W) not in the car

& no one know where she was

Tatjana

I spoke to Rena.

Madison only bit her lip.





## Employee Warning Notice

## Employee Information

Employee Name: Rena Goldstein

Date: 5/7/10

## Type of Warning



First Warning



Second Warning



Final Warning

## Type of Infraction

- Tardiness/Leaving Early
- Substandard Work
- Insubordination
- Other: \_\_\_\_\_

 Absenteeism Violation of Safety Rules Rudeness to Parent/Family

- Violation of Company Policies
- Rudeness to Coworkers
- Improper treatment of a child

## Description of Infraction:

Teacher + parent witnessed Rena put up a child  
 & throw him in a chair for time out in the  
 Kunka Bears room 9. 4:30 on Thursday 5/6/10

## Plan for Improvement:

Use positive discipline. Redirect the child. Talk to  
 the child's parent. Never give a child time out,  
 pick them up roughly or yell at them.

## Consequences of Further Infractions:

Termination.

## Acknowledgement of Receipt of Warning

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your director have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature



Date

5/7/10

Date

Director's Signature

Witness Signature (if employee understands warning but refuses to sign)

Date



# THE PRESCHOOL OF AMERICA

## Employee Warning Notice

Employee Name: Rox Goldstein Date: 5/11/10

First Warning  Second Warning  Final Warning

<input type="checkbox"/> Tardiness/Leaving Early	<input type="checkbox"/> Absenteeism	<input type="checkbox"/> Violation of Company Policies
<input type="checkbox"/> Substandard Work	<input checked="" type="checkbox"/> Violation of Safety Rules	<input type="checkbox"/> Rudeness to Coworkers
<input type="checkbox"/> Insubordination	<input type="checkbox"/> Rudeness to Parent/Family	<input type="checkbox"/> Improper treatment of a child
<input type="checkbox"/> Other: _____		

### Description of Infraction.

MARY (18M) WAS LEFT IN THE CLASSROOM BY THE DIRECTOR ON TWO OCCASIONS AND IN THE PLAYGROUND.

### Plan for Improvement.

Check the entire school building from outside to inside. Specifically, count the children present. If you find any, be ready to explain what you observed in the playground.

### Consequences of Further Infractions:

Termination

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your director have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Rox Goldstein Employee Signature

Date

M. Goldstein Director's Signature

Date

Witness Signature (if employee understands warning but refuses to sign)

Date



5/21/10

Ronda -

Did not see her way she was  
pulling on leather strap on her  
waist (X) to the front.

(had pull her arms out of her body  
(had both hands clasped)

Also saw (no name yet)

Unconscious of the classroom.

Signs to another person that

she (X) → asked from her  
she (X) → asked from her

down up (X)



6/13 - <sup>use perfom/score for</sup>  
6/20 - no lesson plan  
6/21 - shared info on Baterz / strategies  
6/27 - no lesson plans

7/1 - talk about "Baterz"  
Told her she is responsible  
to water fun and prevent

Baterz  
asked her to do duty/laundry  
anecdote



the firm

black don't like

produce comment

black people

and - has family problems

talk about

self fulfilling prophecy - "I guess they  
all bite"

Tonight's show - AM on 102.9

Answers, ~~blocks~~

- 1. Amanda
- 2. Jennifer
- 3. Maria



- Structure / routine
- ~~Do~~ snippet w/ transitions
- Constants,

# PRESCHOOL of AMERICA

Teacher Evaluation for: Pen

Date: \_\_\_\_\_

E= Excellent

S= Satisfactory

N= Needs improvement

## 1) Classroom Appearance

Classroom is clean, neat and organized - E / S / N

Projects and art work on the walls are current - E / S / N

Projects and artwork reflect the themes - E / S / N

Centers/ Classrooms are changing and promote creativity - E / S / N

Toys and manipulatives are organized and labeled for easy use and cleanup - E / S / N

Merry

## 2) Classroom Climate

Teacher promotes a sense of caring - E / S / N

Teacher is flexible - E / S / N

Treats students in a fair manner - E / S / N

Expectations not clearly defined

## 3) Interactions with children

Greets children - E / S / N

Responds to children's questions - E / S / N

Uses a calm voice when talking to children - E / S / N

Comforts children when they are upset - E / S / N

Shares Affection with children - E / S / N

Engages children during structured and non-structured activities - E / S / N

*too much No  
Sometimes shouts*

*are not introduced  
or introduced  
in a frustrating  
way*

No structure

limited Directed Activity

too much free play



#### 4) Interactions with parents

Greets parents + E / S / N

Knows parents names - E / S / N

Responds to parents' questions and concerns in an appropriate manner - EYES / N

Keeps parents informed - E / S / N

Encourages parent involvement - E / S / N

Maintains confidentiality - E / S / N

### 5) Professionalism

Is an appropriate role model in the classroom for both students and co-teachers - E / (S) N

Arrives at work on time (E) S / N

Has an acceptable attendance record (E) S / N

Teacher Responds constructively to students - E / S (N) *most changes applied* *explanations*  
Contributes to positive school environment (E) S / N

Cooperates and communicates well with other staff members

-E / S / N

Is willing to help out when needed (E/S / N)

Does not gossip  S / N

Follows sick and vacation policy when requesting time off  S / N

Follows school policies (eg: cell phones, eating in class,etc.) - E ) S / N

#### 6) Behavioral expectations/consequences

Rules are reviewed daily - E / S / N

Teacher uses positive reinforcement to motivate students toward desired behaviors (praise, rewards, close proximity) - E (S) N

does not use consistent ~~or~~ strategies to motivate has improved

ACM  
COPPER  
MURK 1'  
MURK 1/2'  
ACM 1/2'  
① Haw  
we  
be  
1  
② Cle

Consequences are clear and limits for acceptable behavior through a classroom management plan are set - E / S / N

ex: would be

"we ~~are~~ are cleaning up so,

we can do circle"

Repetitive, so children follow

track 15 minutes + get ready.

"you're not being a good listener".

#### 7) Classroom management

Daily schedule is set up to meet needs of children - E / S / N

Transitions between activities is an appropriate manner - E / S / N

Develops goals for each child based on level - E / S / N

No strategy for transition

+ to "consistently" routine

should be -

Aidan is

listening

I like the wa

jones

Ledger

I see

Sophia

help

#### 8) Planning and organization

Plans monthly outline of concepts and skills to be taught (literacy, social studies, science, math, social skills) - E / S / N

Lessons are based on Creative Curriculum - E / S / N

Lesson plans are given in every Friday for the following week - E / S / N

Lessons are posted the Friday before and are complete - E / S / N

Lessons reflect themes - E / S / N

Centers reflect themes - E / S / N

Materials are prepared for the day - E / S / N

Teaching materials are utilized to vary instruction and interest

- E / S / N

Maintains students records, developmental charts and/or portfolios

- E / S / N

table who not prepared for art

weren't go out paint

directors to kids during set up - poor -

went, don't touch - could be

a g

#### 9) Instructional management

Follows lesson plans - E / S / N

Begins lessons with a review of previous materials - E / S / N

Not talk

what is

"read 4x

"Do not pull the paper

Directs and adequately supervises students to be on task quickly

- E / S / N

Provides relevant examples and demonstrations to illustrate concepts and

skills - E S / N

Promotes higher level thinking skills - E / S / N

Provides remediation activities for students - E / S / N

Teacher ask questions during lesson to insure understanding - E / S / N L. P.

Teacher summarizes concepts taught - E / S / N

Models good language E / S / N

Provides meaningful activities E / S / N

Teacher utilizes a variety of teaching techniques such as: individual, small group, whole instruction - E / S / N

Uses a variety of assessment methods (observations, questions, activities)

E / S / N

#### 10) Professional Growth

Teacher responds appropriately to recommendations given by administrator - E S / N

Suggested recommendations are successfully incorporated and implemented - E S / N

Seeks out additional continued educational opportunities - E / S N

Recommended using other  
teachers as "Mentors". Not  
to keep on idea - Just  
your Town Professor said you  
were OK.

#### 11) Health safety procedures

Reviews fire safety - E / S / N

Has children follow proper hand washing procedures - E / S / N

Follows policy for changing diapers - E / S / N

Follows policy for accident reports - E / S / N

Follows school policy for childhood sickness - E / S / N

Follows procedures for handling and storing food - E / S / N

Promotes potty training - E / S / N

Uses gloves at appropriate times - E/S/N

does not use positive reinforcement to motivate

Circle time - 10 new ways  
Should be

no routine

few familiar songs  
padding ~~10~~ <sup>CD</sup> quiet rather than chaotic

Should be same 5 activities each  
given they are in chairs

Numbers - inappropriate for E/C/C

Counting song - the dot man

Ex. 5 little monkeys w/ Visuals

random counting ~~not~~ no value?

No Book?

did not demonstrate  
rolling or "knob"

to engage / involve <sup>knob</sup> stop  
in song.

Preschool of America  
101 West Avenue  
New York, NY 10023

To Whom It May Concern,

I am writing to inform you that I, Zullay Pichardo, will no longer be working in preschool of America after June 30, 2010. That day will be my last day. My resignation is due to another position that has become available in the public school system, working as a Paraprofessional. As a Para I wish to enhance my experience because I want to work with older kids. It has been a pleasure working for Preschool of America. Thank you for the delightful years.

Sincerely

Zullay Pichardo  
482 Fort Washington Avenue  
New York, NY 10033



Last week we were surprised to learn that a petition had been filed with the National Labor Relations Board ("NLRB") seeking, in part, to hold an election to determine whether certain employees of Preschool of America, Inc. ("Preschool") should have a Union. Needless to say, given what we believe to be the extremely favorable wages, working conditions and other benefits presently offered by Preschool, the apparent desire by some to form a Union remains quite puzzling.

As we remain confident that the personal interests of Preschool employees will be far better served without the formation of a Union, Preschool has voluntarily agreed that on August 2, 2010, the NLRB, a federal government agency, will conduct an election to determine whether teacher assistants, floaters and kitchen/maintenance employees want to have a Union. This election will be conducted between the hours of 1:00 p.m. and 3:00 p.m. in the gym.

This will be a secret ballot election. No one will know how you vote. The fact that you may have signed a card for Local 1707 does not mean that you do not have the right to vote **NO** for **NO UNION**. This election will be decided by a majority of those who actually vote. It is essential that everyone eligible vote. This election will affect everyone. Don't let others make this decision for you.

In the coming weeks, you will be hearing from both the Union and Preschool about the pros and cons of having this Union. I hope you will listen to our side of the story because I strongly believe the formation of a union will jeopardize your rights and certainly not increase them. Although I am new to the company, based upon my prior professional experience and employment, it is



quite clear to me that the benefits Preschool has voluntarily offered to its employees far exceed other similar locations. Most important, Preschool remains committed to voluntarily providing its employees with competitive wages, benefits and working conditions without subjecting its employees to the payment of dues and the uncertainties and worries associated with Union strikes.

While we will conduct meetings to provide information regarding the perils of having a Union in the next few weeks, we expect everyone to continue to function in a professional manner and comply with all rules and regulations. Our most important responsibility is the care of the children entrusted to Preschool. We cannot forget that as we have these discussions.

We are now required by law to give the Union the names and addresses of all eligible voters. It is possible that the Union may use this information to contact you by mail or even visit you in person. We apologize for any inconvenience this may cause, but this is something outside of our control.

I look forward to meeting with all of you in the coming weeks to discuss this matter.

Sincerely,

Robin Mauro

Friday Notes  
July 2, 2010  
Happy July 4<sup>th</sup>!

It's been a busy week. I want to focus on curriculum and professional development, but seems like each day various other things take precedence. A priority at the moment is addressing classroom management, staffing and September placements, as well as the items listed below.

Notices:

- Each of you will receive a notice regarding Union Enrollment. Please read it carefully and contact me with any questions you may have.
- New Rule: Teacher's Assistants will call in attendance to office between 10 & 10:30.
- Music/Movement: I would like each class to include a Music/Movement activity into the daily schedule. 20 minutes of finger play, movement. (Greg and Steve, bean bag, etc) Let me know if you need materials. If you are already doing this, then highlight in your lesson plan the activities or cd's you are using.
- Evaluations: Lucky for me I have inherited a staff of great teachers, and to better know your teaching styles and strengths, I will be conducting Teacher and Teacher Assistant Evaluations. I will observe your classroom for 30 minutes and then provide feedback.
- Summer Bulletin Boards. Please have your Bulletin Board completed by July 9<sup>th</sup>.
- Absences and Lateness: It is unprofessional and inconsiderate to be late or to be absent weekly. It is important that our staff is here everyday as scheduled.
- Parent Communication: Do not share the Corporate Class Enrollment list with parents. There has been a lot of confusion with regards to ratio and attendance. (Not all children enrolled in the class are there 5 days.) If parents request a class list, please refer them to the office and I will provide it for them.

Enjoy the holiday weekend. See you Tuesday!



6/25

TGIF!!

Hello,

Just a few things:

- Please return the "mis-placed" student info ASAP. We are trying to finalize September placements.
- Many teachers have inquired about a **Year End Party**, so we thought perhaps we will do a School Wide Summer Kick Off/End of Year Party.
- Wednesday June 30<sup>th</sup>. 4:30-6:00
- Parents are welcome to join but it's really for the kids.
- Ask parents to sign up for snack contribution.
- ( if you think a different time is better...eg, 4-6, 5-6, etc. let me know)

- Over Ratio~~s~~ and Adequate Staff:

We are working hard to get additional floaters in the rooms that are over-ratio for that day, or during hectic times such as drop off or pick up, or if a new student needs additional support, or for transition times, etc.

I am asking you to also be considerate to your co-teachers and co-workers. If you arrive later than scheduled or over sleep or decide to call in sick last minute, you are leaving your co-teacher without proper support. ☺

Up until now, I have been here only part time. As of Monday I will be here full time and will have more time to spend in your classroom and address the individual issues and students.

Thanks for your patience, and again, please contact me, (talk, email, text, phone, etc) about concerns within your classrooms.

Have a nice weekend!!!

Robin



July 2, 2010

I have distributed Roles and Responsibilities for Head Teachers and Teaching Assistants. All this information is included in the Employee Handbook. I will be meeting with you to discuss how the roles and responsibilities are defined.

Robin



## A LOT TO LOSE

The Union simplified:

**Become union → make demands → try to negotiate → we reject demands → strike → we permanently replace you**

### Employers ultimately decide the terms of the contract, not the Union

In our conversations with staff about the upcoming union election, it has become clear that many teachers are under the impression that they have nothing to lose by joining a union. Obviously, if employees had nothing to lose by bringing in unions, everyone would want to join a union. But only 7% of the country's private sector workers are unionized! Why don't the other 93% want a union? Perhaps they understand what they could lose:

1. **Union Dues:** Union dues range from \$23.50 to \$41.20 per month. When you have a union contract, you have to pay dues regardless of what the contract says even if there is no improvement in your wages and benefits. In fact, you would have to pay dues even if you end up with a package that is less than what you already have.

2. **Existing Benefits:** The Union can make all the promises it wants. But that does not mean they will become reality. There is no guarantee that in a union contract that you will end up with a better package. There is no guarantee that you will keep everything you have now. It is possible as a result of negotiations you could wind up losing benefits that you already have. We have voluntarily provided you with a benefit package that exceeds what our competitors offer without you having to pay union dues.

### Employers ultimately decide the terms of the contract, not the Union.

3. **Union Strikes:** Right now you have the ability to work without having to worry about having to go out on strike. Preschool of America is not a government agency. We are a private company. This is not like the Department of Education. We can't raise taxes if we do not have enough revenue to meet our expenses .



**We cannot and will not agree to unreasonable wage and benefit demands** that would put us in a noncompetitive position. If the Union was to win the election and we could not come to an agreement, the Union's only weapon would be to call a strike.

- During a strike, you will not be paid.
- During a strike, you will not collect unemployment unless the strike lasted more than six weeks. Have you thought about how you would support yourself or your family without any money for 6 weeks?
- Finally, if there were a strike, we have the right to permanently replace you.

That would mean that you might not have a job when the strike was over. We would not want a strike, but we would prefer that to agreeing to unreasonable union demands. And we would be in a position to hire permanent replacements. Every day we get unsolicited resumes from people who are *anxious* to work for us and who have excellent credentials.

**Employers ultimately decide the terms of the contract, not the Union.**

So you see, there can be serious consequences for everyone on staff as a result of unionization. These potential consequences will affect everyone here. Even if you signed a card for the Union, you have no obligation or duty to join. You have the right to decide for yourself after learning all the facts what is best for you and your family.

This is a secret ballot election conducted by the federal government. No one will ever know how you voted.

You can still protect yourself from the risk of the serious consequences by voting **NO for NO UNION**. That is the only way you can be sure that you won't have to pay union dues, possibly lose existing benefits in negotiations, or risk your job security by going out on strike and being permanently replaced.

**Vote NO for NO UNION**

# Union VS Non Union

<u>Salary</u>	Increase 2% of salary with a four-year wage freeze (ACS current union contract)	POA increase 2% of salary, guaranteed every year especially in the economic depression (Existing)
<u>Beginning Salary</u>	11 % less than original rate ( ACS current union contract)	Higher than other child care centers based on staff qualifications
<u>Improved Credentials</u>	With a strict 5 years contract, union member cannot improve status with education. <b>No raise, no promotion</b> when teacher is working on their credits/license. Teacher can only be the teacher, and the assistant can only be the assistant	Professional growth: We promote staff based on the completion of qualifications. The assistant can be promoted to a teacher; the teacher can be promoted to director. <b>More qualifications = higher position with more pay</b>
<u>Qualifications</u>	<b>Very strict qualification requirements</b> with credentials and licenses ( review ACS teacher/assistant requirement with the union contract)	*Flexible schedule to support student teaching and schooling *Free college credits *Staff development *More Ed. credits = more pay
<u>Health Plan</u>	The labor law only requires a private company employer to pay \$100 for share co-payment.	We are currently contributing \$300 monthly for each employee who requires the health benefits (Existing)
<u>Retirement Plan</u>	Not required for a private Co.	We offer 401K plan with 3% match
<u>Vacation</u>	8 Federal Holidays, <b>not required more days off for a private Co.</b>	11 holidays, 12 sick/personal days and 2 weeks' vacation. Same as ACS
<u>Rules</u>	Many restrictions with schedule and other policies	More flexibility in the private company (Existing)
<u>Employee Child Care</u>	<b>No other unionized day care</b> provides employee child care	Yes (Existing)
<u>Relationships &amp; Social effects</u>	Hostile, disruption (court battles, strike, replacement)	Big family oriented, friendship, and harmony
<u>Union Dues</u>	\$500 per yr = -2% of your salary.	None
<u>Use of Dues</u>	*Increase union officials salary *Union salesperson commissions *Political activities and lobbying *Restaurant and hotels, gifts etc.	N/A
<u>Performance</u>	More unionized day care closing, more day care workers layoffs	POA is expanding, <b>more job opportunities</b>
<u>Management</u>	With union <b>bureaucracy</b> and policy, 16 unionized day care centers were closed in 2009	Efficient, direct and improving
<u>Trend</u>	Union is declining nationwide, only 7% companies are unionized, they are all government agencies	More employee involvement, <b>more improvement</b>

DC 1707 is not UFT (United Federation of Teachers), POA is a private company, all benefits are only from the employer, not union. Compare to the unionized day care centers or the private companies, we have offered a lot.

**Vote for NO UNION!!!!!**



## Employee Warning Notice

Employee Name:		Employee Information
Employee Name:		Date:
Type of Warning		
<input checked="" type="checkbox"/> First Warning <input type="checkbox"/> Second Warning <input type="checkbox"/> Final Warning		
<input type="checkbox"/> Tardiness/Leaving Early <input type="checkbox"/> Absenteeism <input type="checkbox"/> Violation of Company Policies <input type="checkbox"/> Substandard Work <input type="checkbox"/> Violation of Safety Rules <input type="checkbox"/> Rudeness to Coworkers <input type="checkbox"/> Insubordination <input type="checkbox"/> Rudeness to Parent/Family <input type="checkbox"/> Improper treatment of a child <input type="checkbox"/> Other:		

Description of Infraction:

Using cell phone while  
driving, napping

Plan for Improvement:

Consequences of Further Infractions:

By signing this form, you confirm that you understand the information in this warning. You also confirm that you and your director have discussed the warning and a plan for improvement. Signing this form does not necessarily indicate that you agree with this warning.

Employee Signature

Date

Director's Signature

Date

Witness Signature (if employee understands warning but refuses to sign)

Date





August 3, 2010

**Annual Evaluations**

We will be conducting teacher and teacher assistant annual evaluations. Everyone is evaluated base on performance, attendance and general conduct. Please be aware that your attendance is critical in our center. Absences, lateness's, and partial day attendance is a significant factor and will contribute to your overall rating.

Thank You,

Robin Mauro



#### 4) Interactions with parents

Greets parents ("E / S / A)

Knows parents names - (E) S/ N

Responds to parents' questions and concerns in an appropriate manner - YES / N

Keeps parents informed - E / S / N

Encourages parent involvement - E / S / N

Maintains confidentiality - E / S / N

## 5) Professionalism

Is an appropriate role model in the classroom for both students and co-teachers - E / S N

Arrives at work on time - E S / N

Has an acceptable attendance record - E / S / N

Teacher Responds constructively to students - E / S (N) *met children's needs effectively, explained*  
Contributes to positive school environment - E / S / N *met children's needs effectively, explained*

Cooperates and communicates well with other staff members

-E/S/N

Is willing to help out when needed E/S / N

Does not gossip - E S / N

Follows sick and vacation policy when requesting time off  E / N

Follows school policies (eg: cell phones, eating in class,etc.) - E ) S / N

#### 6) Behavioral expectations/consequences

Rules are reviewed daily - E / S / N

Teacher uses positive reinforcement to motivate students toward desired behaviors (praise, rewards, close proximity) - E(S/I)N

does not use consistent ~~or~~ strategies to motivate has improved we  
the